

**R315. Environmental Quality, Solid and Hazardous Waste.**

**R315-318. Permit by Rule.**

**R315-318-1. General Requirements.**

(1) Any facility that disposes of solid waste, including an incinerator, may be permitted by rule upon application to the Executive Secretary if the Executive Secretary determines the facility is regulated by Federal or state agencies which have regulations or rules as stringent as, or more stringent than, Rules R315-301 through R315-320.

(2) No permit by rule may be granted to a facility that began receiving waste after July 15, 1993 without application to the Executive Secretary.

(3) Any facility permitted by rule is not required to obtain a permit as required by Subsection R315-301-5(1) and Subsection R315-310-1(1) but may be required to follow operational practices, as determined by the Executive Secretary, to minimize risk to human health or the environment.

(4) In no case may a facility operating under a permit by rule approved by the Executive Secretary conduct disposal operations that are in violation of the Utah Solid and Hazardous Waste Act or Rules R315-301 through R315-320.

**R315-318-2. Facilities Permitted by Rule.**

(1) The following facilities that began receiving waste prior to July 15, 1993 are permitted by rule:

(a) solid waste disposal and incineration facilities which are required to operate under the conditions of a state or Federal hazardous waste permit or plan approval;

(b) disposal operations or activities which are required to operate under the conditions of a Utah Division of Oil, Gas, and Mining permit or plan approval;

(c) non-commercial underground injection facilities regulated by the Utah Division of Water Quality; and

(d) disposal operations or activities which accept only radioactive waste and are required to operate under the conditions of a Utah Division of Radiation Control permit or plan approval.

(2) An underground storage tank, as defined by 40 CFR 280.12 and Subsection R311-200-1(43), that by meeting the requirements specified in 40 CFR 280.71(b) and Section R311-204-3, is closed in place, may be permitted by rule after meeting the following conditions:

(a) the owner of the underground storage tank shall notify the Executive Secretary of the in place closure; and

(b) the owner of the underground storage tank shall provide documentation to the Executive Secretary that the requirements of Subsection R315-302-2(6) have been met.

**KEY: solid waste management, waste disposal**

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